

In re Application of:
Haberland, et al.

Application No. 09/580,721 **RECEIVED**
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AUG 28 2006

REMARKS

In an Office Action dated July 28, 2005, the Examiner indicated that now canceled Claims 2 and 8 would be allowable if rewritten to contain the elements of the base claim and any intervening claims. In the Response to the July 28, 2005 Office Action, independent Claim 1 was then amended without prejudice to include the limitation of Claim 2 and independent Claim 7 was amended without prejudice to include the limitation of Claim 8. In an Office Action dated April 12, 2006, the Examiner indicated that Claims 7, 9, and 13 are allowed, and that Claims 1, 3, 5, and 6 would be allowable if rewritten or amended to overcome a 35 USC § 112, second paragraph, rejection(s) resulting from the amendment of Claim 1, and that Claim 15 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Applicant attempted to comply without prejudice with the Examiner's indication to expedite allowance of the patent application. In an Advisory Action dated August 1, 2006, the Examiner indicated the amendment did not overcome the rejection due to a new issue because "the shield stop" in Claim 1, line 22, lacked antecedent basis because the "shield stop" was first recited in line 24. Applicant has further amended Claim 1 so that "the shield stop" has proper antecedent basis. Remaining Claims 3, 5, 6 are dependent upon independent Claim 1; Claims 9 and 13 are dependent upon independent Claim 7; and Claims 16 and 17 are dependent upon now independent Claim 15. All claims should now be in allowable form in accordance with the Examiner's indications.

The Applicants submit that these minor amendments and corrections herein are made without prejudice as to patentability, including the doctrine of equivalents, were not necessary to overcome the cited reference, and that no new matter has been added. A request for two-month extension of time is submitted herewith. The Commissioner is hereby authorized to charge or credit any additional fees to Bracewell & Giuliani LLP's, Deposit Account No. 50-0259 (Order No.: 032528.000007).

The foregoing remarks are intended to assist the Examiner in re-examining the application and in the course of explanation may employ shortened or more specific or variant descriptions of some of the claim language. Such descriptions are not intended to limit the scope of the claims; the actual claim language should be considered in each case. Furthermore, the

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remarks are not to be considered to be exhaustive of the facets of the invention that render it patentable, being only examples of certain advantageous features and differences which Applicants' attorney chooses to mention at this time.

CONCLUSION

In view of the amendments and remarks set forth herein, Applicants respectfully submit that the application is in condition for allowance. Accordingly, the issuance of a Notice of Allowance in due course is respectfully requested. If any issues remain, Applicant requests the Examiner immediately contact Applicants' representative at (713)-221-1185.

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